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**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:07CR34

UNITED STATES OF AMERICA

VS.

KEVIN ANTHONY HARPER

ORDER

THIS MATTER is before the Court on the Government's motion to destroy evidence, filed January 9, 2008.

Because the Defendant has filed an appeal of his conviction and sentence, the Government's motion to destroy evidence herein is made prematurely.

IT IS, THEREFORE, ORDERED that the Government's motion to destroy weapon is **DENIED** without prejudice.

Signed: January 29, 2008



Lacy H. Thornburg
United States District Judge

